

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

MEDIOSTREAM, INC.

vs.

MICROSOFT CORPORATION

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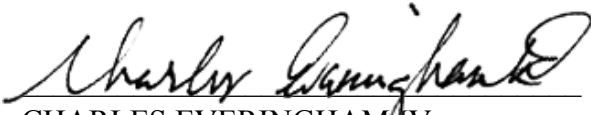
CASE NO. 2:08-CV-369-CE

ORDER

Pending before the court is the defendants Acer America Corporation's, ASUS Computer International, Inc.'s, CyberLink.com Corporation's, Dell, Inc.'s, Gateway, Inc.'s, Microsoft Corporation's, Nero AG's, Nero, Inc.'s, Sonic Solutions's, Sony Corporation's, and Sony Electronics Inc.'s motion for reconsideration (Dkt. No. 153) of the order denying venue transfer. Counting the motion under consideration, the defendants have filed four motions seeking transfer of venue, including two motions for reconsideration. (Dkt. Nos. 15 & 153); 2:07-cv-376 (Dkt. Nos. 63 & 206). All three of the prior motions were denied. (Dkt. No. 127); 2:07-cv-376 (Dkt. No. 152).

In their motion for reconsideration, the defendants cite two recent decisions, *In re Nintendo Co.*, 589 F.3d 1194 (Fed. Cir. 2009) and *In re Hoffmann-La Roche Inc.*, 587 F.3d 1333 (Fed. Cir. 2009), in which the Federal Circuit ordered the district court to grant venue transfer. The court is not persuaded that the holdings of *In re Nintendo* and *In re Hoffmann-La Roche* warrant reconsideration of the orders denying venue transfer in this case. Therefore, the defendants' motion to reconsider is DENIED.

SIGNED this 16th day of June, 2010.


CHARLES EVERINGHAM IV
UNITED STATES MAGISTRATE JUDGE